

## Message Text

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ACTION IO-13

INFO OCT-01 ADP-00 L-03 AF-10 ARA-11 EA-11 EUR-25 NEA-10

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-09 H-02

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-12

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 RSR-01 SCI-06

CEQ-02 /240 W

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TO SECSTATE WASHDC 7362

UNCLAS USUN 1234

E. O. 11652: N/A

TAGS: PBOR

SUBJ: LOS: WORKING GROUP 2 OF SUBCOMMITTEE III, 14 TH

MEETING, 4 APRIL

SUMMARY: CANDA, ARGENTINA, KENYA, PERU, INDIA, AUSTRALIA,  
AND GREECE COMMENTED ON U. S. WORKING PAPER ON COMPETENCE TO  
ESTABLISH STANDARDS FOR THE CONTROL OF VESSEL SOURCE  
POLLUTION. U. S. REPLIED.

1. THE CHAIRMAN WILL INFORM THE CHAIRMAN OF THE SUB-  
COMMITTEE, OF THE PROGRESS OF WORK OF THE WORKING GROUP  
DURING THIS SESSION, INCLUDING THE WORK DONE DURING INFORMAL  
CONSULTATIONS.

2. THE MEETING WAS MAINLY DEVOTED TO COMMENTS ON THE U. S.  
WORKING PAPER ON COMPETENCE TO ESTABLISH STANDARDS FOR  
THE CONTROL OF VESSEL SOURCE POLLUTION.

3. CANDA GENERALLY AGREED WITH EMPHASIS OF U. S. PAPER  
ON NEED FOR INT'L STANDARDS. HOWEVER, THEY CANNOT  
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ACCEPT THAT THE STANDARDS BE EXCLUSIVELY INTERNATIONAL.  
COASTAL STATES SHOULD HAVE RESIDUAL OR SUPPLEMENTARY RULE

MAKING AUTHORITY IN CERTAIN CIRCUMSTANCES. HE NOTED THAT COASTAL STATE RIGHTS IN THE TERRITORIAL SEA HAD NOT LED TO CHAOS. STATES WANT AND NEED THE RIGHT TO PROTECT THEMSELVES BEYOND 12 MILES. HE RECOGNIZED CONCERNS ABOUT COASTAL STATE ABUSES. AN INTERNATIONAL REGIME CAN SATISFACTORILY ACCOMMODATE NAVIGATION AND ENVIRONMENTAL INTERESTS. IT IS NOT INTENTION OF ANY STATE TO IMPEDE NAVIGATION. QUESTION IS NOT INTERNATIONAL STANDARDS OR COASTAL STATE STANDARDS.

4. ARGENTINA FAVORED AUSTRALIAN PRINCIPLE ( F ) & DID, NOT FAVOR EXCLUSIVE INT' L STANDARDS. INT' L STANDARDS ARE NOT NOW ADEQUATE. AFFECTED STATES MUST BE AGENTS OF INTERNATIONAL COMMUNITY TO CONTROL POLLUTION IN AREAS ADJACENT TO TERRITORIAL SEA.

5. KENYA NOTED THAT THEIR DRAFT ARTICLES ON ECONOMIC ZONE CONTAIN PROVISIONS ON COASTAL STATE POLLUTION CONTROL RIGHTS WHICH ARE CONTRARY TO U . S. PAPER. FURTHER, U. S. PAPER DOES NOT NOTE WHO WILL ELABORATE AND IMPLEMENT STANDARDS, NOR DOES IT DEFINE ITS GEOGRAPHIC SCOPE. IF EXCLUSIVELY INTERNATIONAL STANDARDS ARE AIMED AT SUBVERTING EXCLUSIVE ECONOMIC ZONE, THEY MUST BE OPPOSED.

6. PERU AND INDIA OPPOSED EXCLUSIVELY INTERNATIONAL STANDARDS. STATES MUST DEVELOP STANDARDS GIVEN THEIR OWN SITUATIONS. ACCEPT NEED FOR INTERNATIONAL STANDARDS BUT ALSO NEED COASTAL STATE STANDARDS. EXCLUSIVELY INTERNATIONAL STANDARDS ARE NOT ACCEPTED BY MAJORITY OF WORKING GROUP.

7. U. S. DEL NOTED POINTS IN PAPER ARE SUFFICIENTLY CLEAR AND MADE STRONG STATEMENT IN DEFENSE OF EXCLUSIVELY INTERNATIONAL STANDARDS. THIS IS NOT AN ISSUE BETWEEN COASTAL LDCS AND MARITIME NATIONS AND HOPES IT IS NOT SO PAINTED. RE: KENYA' S REMARKS, U. S. DEL NOTED PAPER IS NOT INCOMPATIBLE WITH VARIOUS PROPOSALS FOR ECONOMIC JURISDICTION, BUT RESERVED U. S. POSITION ON ECONOMIC ZONE CONCEPT. MOST PROPOSALS CONCERNING POLLUTION CONTROL IN ZONE ARE VAGUE. THE STARTING POINT FOR ANALYSIS OF VESSEL POLLUTION IS FREEDOM OF NAVIGATION AND OVERFLIGHT, WHICH IS PRINCIPLE COMMON TO UNCLASSIFIED

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ALL APPROACHES TO RESOURCE JURISDICTION, INCLUDING RESOURCE ZONE. COASTAL STATE POLLUTION CONTROL OVER VELEMENTS IN THE MILITARY WHICH WOULD SEEK TO EXPLOIT ANY SIGN OF FLEXIBILITY OR WEAKNESS BY MOLINA ON THE ARBITRATION ISSUE. SINCE NEITHER THE GOES

NOR THE GOH WAS STRONG OR SELF- CONFIDENT ENOUGH TO RISK INTERNAL OPPOSITION, PARTICULARLY FROM THE MILITARY, AT THIS TIME, THE BEST SOLUTION WAS TO TEMPORIZE. HE ADDED THAT WHENEVER BOTH PRESIDENTS FELT SECURE ENOUGH

IT COULD BE SETTLED QUICKLY.

B. FAMILY PLANNING - BORGONOVO DISCUSSED AT LENGTH CURRENT DIFFERENCES BETWEEN MINISTER OF HEALTH AND USAID/ES ON THIS ISSUE. AS DEFINED BY BORGONOVO, CRUX OF MATTER WAS WHETHER FAMILY PLANNING SHOULD FALL WITHIN OVERALL FRAMEWORK OF HEALTH SECTOR PLAN, APPROACH FAVORED BY MINISTER, OR WHETHER PROGRAM SHOULD BE AUTONOMOUS, APPROACH MINISTER SAID WAS FAVORED BY USAID/ES. MINISTER WAS ASSURED BY USG OFFICIALS THAT AID/W APPROACH TO TECHNICAL QUESTIONS OF THIS KIND WAS FLEXIBLE, AND COULD PROBABLY BE RESOLVED IN THE FIELD THROUGH FURTHER DISCUSSIONS. UPSHOT WAS MINISTER'S STATEMENT THAT HE INTENDED TO DISCUSS WITH U. S. AMBASSADOR UPON HIS RETURN TO EL SALVADOR AND THEN CALL A MEETING OF ALL INTERESTED PARTIES TO RESOLVE THE ISSUE. THE MINISTER ASKED THAT WE TAKE NO ACTION ON THIS MATTER BUT LEAVE INITIATIVE TO HIM SO THAT HE COULD AVOID POSSIBLE EMBARRASSMENT TO EITHER MOH OR USAID/ES. IN MEANTIME PLEASE ADVISE RE STATUS OF DISCUSSIONS THUS FAR.

C. SILOS - MINISTER EXPRESSED THE HOPE THAT THIS PROGRAM COULD BE EXPEDITED BUT HE DID NOT RAISE THIS MATTER FOR DISCUSSION, NOR WAS IT DISCUSSED.

D. IRCA - BORGONOVO GAVE RUNDOWN ON CURRENT STATUS OF THIS PROBLEM NOTING DISCUSSIONS WITH GM FOR PURCHASE OF LOCOMOTIVES, AND STATING THAT IRCA'S BUYOUT PRICE (\$4 MILLION) WAS OUT OF THE QUESTION. HE STATED THAT GOES WOULD CONTINUE TO ACT WITHIN THE LAW IN ITS ATTEMPT TO CONFIDENTIAL

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RESOLVE THE IRCA PROBLEM, AND PROMISED TO KEEP IN CLOSE TOUCH WITH THE EMBASSY ON ALL DEVELOPMENTS.

E. COFFEE - FONMIN INDICATED THAT GOES, WHILE CONTENT WITH CURRENT COFFEE SITUATION AND STRONG PRICE PICTURE, FELT THAT NOW ("WHEN NOBODY NEEDS IT") WAS AN OPPORTUNE MOMENT TO RENEGOTIATE THE ICA.

2. FURTHER DETAILS FOLLOW BY LETTER. ROGERS

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